

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTINA MENZEL,

Plaintiff,

v.

THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No. 1:22-cv-01365

Judge Ronald A. Guzman

**Magistrate Judge Gabriel A.
Fuentes**

PRELIMINARY INJUNCTION ORDER

Plaintiff CHRISTINA MENZEL (“PLAINTIFF” or “Christina Menzel”) filed a Motion for Entry of a Preliminary Injunction against the against the fully interactive, e-commerce stores operating under the seller aliases identified in Schedule A to the Complaint and attached hereto (collectively, “Defendants”) and using at least the online marketplace accounts identified in Schedule A (the “Online Marketplaces”). After reviewing the Motion and the accompanying record, this Court GRANTS Chrstina Menzel’s Motion in part as follows.

This Court finds Chrstina Menzel has provided notice to Defendants in accordance with the Temporary Restraining Order entered March 17, 2022, [15] (“TRO”), and Federal Rule of Civil Procedure 65(a)(1).

This Court also finds, in the absence of adversarial presentation, that it has personal jurisdiction over Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Chrstina Menzel has provided a basis to conclude that Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more seller

aliases, offer shipping to the United States, including Illinois, and have sold products using infringing versions of Christina Menzel's federally registered copyrights, which are protected by Copyright Registration Nos. VA 2-279-322; VA 2-279-329; VA 2-279-332; VA 2-279-328; VA 2-279-321; VA 2-279-325; VA 2-279-326; VA 2-279-324 and VA 2-281-022 (the "Christina Menzel Works") to residents of Illinois. In this case, Christina Menzel has presented screenshot evidence that each Defendant e-commerce store is reaching out to do business with Illinois residents by operating one or more commercial, interactive internet stores through which Illinois residents can and do purchase products using infringing versions of the Christina Menzel Works. *See* [13], which includes screenshot evidence confirming that each Defendant e-commerce store does stand ready, willing and able to ship its infringing goods to customers in Illinois bearing infringing versions of the Christina Menzel Works.

This Court also finds that the injunctive relief previously granted in the TRO should remain in place through the pendency of this litigation and that issuing this Preliminary Injunction is warranted under Federal Rule of Civil Procedure 65. Evidence submitted in support of this Motion and in support of Christina Menzel's previously granted Motion for Entry of a TRO establishes that Christina Menzel has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Christina Menzel will suffer irreparable harm if the injunction is not granted.

Specifically, Christina Menzel has proved a *prima facie* case of copyright infringement because (1) Plaintiff is the owner of the registered Christina Menzel Works, (2) Defendants are not licensed or authorized to use any of the Christina Menzel Works, and (3) Defendants' use of the Christina Menzel Works is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with Christina Menzel. Furthermore, Defendants'

continued and unauthorized use of the Christina Menzel Works irreparably harms Christina Menzel through diminished goodwill and brand confidence, damage to Christina Menzel's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Christina Menzel has an inadequate remedy at law. Moreover, the public interest is served by entry of this Preliminary Injunction to dispel the public confusion created by Defendants' actions. Accordingly, this Court orders that:

1. Defendants, their officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be preliminarily enjoined and restrained from:
 - a. using the Christina Menzel Works or any reproductions, infringing copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine Christina Menzel product or not authorized by Christina Menzel to be sold in connection with the Christina Menzel Works;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Christina Menzel product or any other product produced by Christina Menzel, that is not Christina Menzel's or not produced under the authorization, control, or supervision of Christina Menzel and approved by Christina Menzel for sale under the Christina Menzel Works;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of Christina Menzel, or are sponsored by, approved by, or otherwise connected with Christina Menzel; and

- d. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Christina Menzel, nor authorized by Christina Menzel to be sold or offered for sale, and which bear any of Christina Menzel's copyrights, including the Christina Menzel Works, or any reproductions, infringing copies, or colorable imitations.
2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
3. Upon Christina Menzel's request, Defendants and any third party with actual notice of this Order who is providing services for any of Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as Amazon Payments, Inc. ("Amazon") and ContextLogic Inc. d/b/a Wish.com ("WISH") (collectively, the "Third Party Providers"), shall, within seven (7) calendar days after receipt of such notice, provide to Christina Menzel expedited discovery, limited to copies of documents and records in such person's or entity's possession or control sufficient to determine:
 - a. the identities and locations of Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the Online Marketplaces and Defendants' financial

accounts, including Defendants' sales and listing history related to their respective Online Marketplaces; and

- c. any financial accounts owned or controlled by Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, WISH and Amazon, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
4. Upon Christina Menzel's request, those with notice of this Order, including the Third Party Providers as defined in Paragraph 3, shall within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of infringing goods using the Christina Menzel Works.
5. Any Third Party Providers, including WISH and Amazon, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants' seller aliases, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit 2 to the Declaration of Christina Menzel, and any e-mail addresses provided for Defendants by third parties; and
 - b. restrain and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further order by this Court.

6. Christina Menzel may provide notice of the proceedings in this case to Defendants, including service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Pleadings, this Order, and other relevant documents on a website or by sending an e-mail with a link to said website to the e-mail addresses identified in Exhibit 2 to the Declaration of Christina Menzel and any e-mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of “🎁🎁 Goodtrade8 🎁🎁❤️🔥🔥 CHRISTMAS Clearance!7-12Day! and all other Defendants identified in the Operative Complaint” that shall apply to all Defendants. The combination of providing notice via electronic publication or e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.
7. Plaintiff’s Schedule A to the Complaint [2], Exhibit 2 to the Declaration of Christina Menzel [13], and the TRO [15] are unsealed.
8. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order as permitted by and in compliance with the Federal Rules of Civil Procedure and the Northern District of Illinois Local Rules. Any third party impacted by this Order may move for appropriate relief.
9. The Ten Thousand dollar (\$10,000) bond posted by Christina Menzel shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:

A handwritten signature in black ink, reading "Ronald A. Guzman". The signature is written in a cursive style with a horizontal line underneath it.

Ronald A. Guzman
United States District Judge

Dated: **April 13, 2022**

Schedule A

No.	Defendant
1	🎁 Goodtrade8 🎁❤️👤 CHRISTMAS Clearance!7-12Day!
2	
3	
4	PrintingShop
5	HVEST Decoration Art
6	CAIJIA
7	RugStore
8	Oerju HT
9	
10	Gdmoon
11	youliangjiashangmao
12	Shylapi Direct Store
13	Bradon
14	Hefei Tianyi Plastic Technology Co., Ltd
15	Bomden
16	Coersd(7-15 Day Delivery)
17	Kanzd(7-15 Day Delivery)
18	50% off - VEKDONE
19	
20	Cofest
21	【12-15 Days Fast Shipping】 Lucky Girl's Shop
22	yuxinuo
23	jhghjka
24	FUNUP (7-15 Days Delivery)
25	DESKABLY (✈️✈️7-12 Days Delivery ✈️✈️)
26	keban diy
27	DIY DECOR FUN
28	AnZhuang
29	MarisStore
30	qingdaoyishengyingxunwangluokejiyouxiangongsiqingdaoyishengyingxunwa
31	weifangsiqishangmaoyouxianzerengongsi
32	shiojf
33	Uzletp sign
34	FTXiaoZheng
35	XiaShe
36	sunwei0159
37	ToHnua
38	ZERMOGE

39	yudongsa
40	tongguyu
41	RFNIU
42	shuledansf
43	Kingfg
44	shengjingzeqingfuzhuang
45	Haima Pretty
46	YongFoto US
47	MVP Store
48	hongtianhuaifu
49	☆K&KP☆
50	USA 7 Days Fast Shipment Freesa
51	kcdigr 7-15 days delivery
52	MOVEmen USA 7-10 DAYS DELIVERY
53	Nightgown
54	Headphone shell and 3C accessories
55	
56	lichengqudongmingbaihuochaoshi
57	GUOSTORE
58	Shang Yue business center
59	HangZZ-US
60	yangjie-shop
61	秋灵网络科技有限公司
62	wanzaixian weimu baihuodian
63	MarleyCruise
64	Shandong Kalan International Trade Co., Ltd
65	boswon
66	duoranxingt477
67	Jiemoom
68	XifengUS
69	youzhend
70	Ktyssp
71	hefu020(Women Tops)
72	YongFoto US
73	hefu020(Women Tops)
74	TAna xmlx
75	shiyou446
76	shirtt
77	bincloth
78	Kapzon
79	Moobla

80	nguyenthi381905
81	sixxto
82	BIG CHEAP
83	thuyetdang
84	Sale Off
85	Brother & Sister Shop
86	Ronavigation
87	RioLeigh Beauty
88	YIJIN52
89	underlined
90	Chott and Jay Sukow
91	lisongjian9304
92	timk
93	linqingxuefan
94	weijianhao2040
95	cnmings
96	love300